

*Changes to legislation:* There are currently no known outstanding effects for the Oil Taxation Act 1975, Cross Heading: Returns by the responsible person. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### MANAGEMENT AND COLLECTION OF PETROLEUM REVENUE TAX

##### Modifications etc. (not altering text)

- C1** See Oil Taxation Act 1983 (c. 56), Sch. 4 para. 14 for application of Sch. 2 to tax chargeable only by virtue of the provisions of s. 12 and Sch. 4 of that Act

##### *Returns by the responsible person*

- 5 (1) The responsible person for [<sup>F1</sup>a taxable field] shall, for each chargeable period, prepare and, within one month after the end of the period [<sup>F2</sup>or within such longer period as the Board may allow], deliver to the Board a return for that period complying with sub-paragraphs (2) and (3) below; but nothing in this sub-paragraph shall require the responsible person to deliver a return under this paragraph before 31st July 1975.
- (2) A return under this paragraph for a chargeable period shall—
- (a) state the quantity of oil won and saved from [<sup>F1</sup>the taxable field] during the period;
  - (b) state the respective interests of the participators in the field in that oil;
  - (c) state what, in accordance with those interests, is each participator's share of that oil; and
  - (d) contain such other particulars of or relating to the field as the Board may require.
- [<sup>F3</sup>(2A) The reference in sub-paragraph (2)(d) above to particulars of or relating to the field includes a reference to particulars required for determining the amount by which any qualifying tariff receipts, within the meaning of section 9 of the Oil Taxation Act 1983, are to be treated as reduced by virtue of that section.]
- [<sup>F4</sup>(2B) If in any chargeable period oil won from [<sup>F1</sup>the taxable field] is mixed as mentioned in section 63 of the Finance Act 1987 so as to give rise to blended oil, within the meaning of that section, then, as respects that chargeable period, for paragraph (a) of sub-paragraph (2) above there shall be substituted the following paragraph—
- “(a) state the total of the shares of the participators in [<sup>F1</sup>the taxable field] of the oil won from the field during the period less so much of the oil won from the field as is not saved”.]
- (3) A return under this paragraph shall be in such form as the Board may prescribe and shall include a declaration that the return is correct and complete.
- [<sup>F5</sup>(4) The power of the Board to allow an extension of time under sub-paragraph (1) above shall include power—

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- (a) to allow an extension for an indefinite period; and
- (b) to provide for the period of any extension to end at such time as may be stipulated in a notice given by the Board.]

**Textual Amendments**

- F1** Words in Sch. 2 para. 5 substituted (27.7.1993) by 1993 c.34 s. 187(1)
- F2** Words in Sch. 2 para. 5 inserted (27.7.1999 with application in relation to chargeable periods ending on or after 30.6.1999) by 1999 c. 16, s. 102(2)(a)(8)
- F3** Schedule 2 para. 5(2A) inserted by Oil Taxation Act 1983 (c. 56), s. 10(4) with respect to chargeable periods ending after 1 December 1983
- F4** Schedule 2 para. 5(2B) inserted by Finance (No. 2) Act 1987 (c. 51), s. 101(4) for chargeable periods ending after 1 January 1987
- F5** Sch. 2 para. 5(4) inserted (27.7.1999 with application in relation to chargeable periods ending on or after 30.6.1999) by 1999 c. 16, s. 102(2)(b)(8)

**Modifications etc. (not altering text)**

- C1** See Finance Act 1981 (c. 35), s. 128(1) and Sch. 16 para. 3; Finance Act 1982 (c. 39), s. 135(1)(b), (3) (b); Oil Taxation Act 1983 (c. 56), s. 10(5)

- 6 (1) If the responsible person fails to deliver a return within the time allowed for doing so under paragraph 5(1) above he shall be liable—
  - (a) to a penalty not exceeding £500, and
  - (b) if the failure continues after it has been declared by the court or [<sup>F6</sup>the tribunal before which] proceedings for the penalty have been commenced, to a further penalty not exceeding £100 for each day on which the failure so continues.
- (2) The responsible person shall not be liable to any penalty incurred under subparagraph (1) above for failure to deliver a return if the failure is remedied before proceedings for the recovery of the penalty are commenced.

**Textual Amendments**

- F6** Words in Sch. 2 para. 6(1)(b) substituted (1.4.2009) by The Transfer of Tribunal Functions and Revenue and Customs Appeals Order 2009 (S.I. 2009/56), art. 1(2), Sch. 1 para. 72

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